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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/965,004      | 09/27/2001  | Susann Marie Keohane | AUS920010878US1     | 2732             |

7590

04/07/2004

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| EXAMINER |
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PESIN, BORIS M

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| ART UNIT | PAPER NUMBER |
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2174

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DATE MAILED: 04/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/965,004

**Applicant(s)**

KEOHANE ET AL.

**Examiner**

Boris Pesin

**Art Unit**

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 6, 11, and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Russell-Falla et al. (US 6675162).

In regards to claim 1, Russell-Falla teaches a method for a web browser to display a home page upon activation comprising the steps of: determining whether a default home page is presently accessible; and displaying the default home page if the default home page is presently accessible or an alternate home page if the default home page is not presently accessible (i.e. "If the rating of the present page exceeds the applicable threshold or range of values for the current user, a control signal shown at path 62 controls a gate 64 so as to prevent the present page [i.e. home page] from being displayed at the browser display 52. Optionally, an alternative or substitute page 66 can be displayed to the user in lieu of the downloaded web page. The alternative web page can be a single, fixed page of content stored in the software." Column 6, Line 3).

Claims 6, 11, and 16 are in the same context as claim 1; therefore they are rejected under similar rationale.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 2, 3, 7, 8, 12, 13, 17, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Russell-Falla et al. (US 6675162) in view of University of Maryland's Web Page.

In regards to claim 2, Russell-Falla teaches all the limitations of claim 1. He does not teach a method wherein said determining step includes the step of using a scheduler. The University of Maryland's web page includes a scheduler showing when the web page is accessible (See Figure 1, Element 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Russell-Falla with the teachings of the University of Maryland's Web Page and include a scheduler of when it

is possible to access the web page with the motivation to limit access to the web page and provide for better maintenance and upkeep of the student database.

In regards to claim 3, Russell-Falla and University of Maryland teach all the limitations of claim 2. The University of Maryland's Web page further teaches a method wherein said scheduler includes time and day that said default home page is accessible (See Figure 1, Element 1).

Claims 7, 12, and 17 are in the same context as claim 2; therefore they are rejected under similar rationale.

Claims 8, 13, and 18 are in the same context as claim 3; therefore they are rejected under similar rationale.

Claims 4, 5, 9, 10, 14, 15, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Russell-Falla et al. (US 6675162) in view of Gifford (US 6052718).

In regards to claim 4, Russell-Falla teaches all the limitations of claim 1. He does not teach a method wherein said determining step includes comparing IP address of a computer system displaying the home page with IP address of a computer system hosting the default home page to determine whether the two computer systems are within the same network. Gifford teaches, "A net mask (sometimes called a subnet mask) specifies which portions of an IP address contain network and subnetwork identifiers and thus should be matched to a second IP address to determine whether the two addresses are on the same network." Column 4, Line 50. It would have been

obvious to one of ordinary skill in the art at the time of the invention to modify Russell-Falla with the teachings of Gifford and include a method of determining whether or not the two IP addresses are on the same network with the motivation to provide for a more secure environment.

In regards to claim 5, Russell-Falla and Gifford teach all the limitations of claim 4. Russell-Falla does not teach a method wherein if the two computer systems are within the same network, the default home page is determined to be presently accessible and if they are not within the same network, the default home page is determined to be presently inaccessible. Gifford teaches, "In this way the operator of a server can ensure that the server serves its intended audience, for example by adding intranet network numbers that cannot be seen from outside the intranet's firewall." Column 6, Line 32). The firewall is able to block access from the outside to the intranet sites.

Claims 9, 14, and 19 are in the same context as claim 4; therefore they are rejected under similar rationale.

Claims 10, 15, and 20 are in the same context as claim 5; therefore they are rejected under similar rationale.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Pesin whose telephone number is (703) 305-8774. The examiner can normally be reached on Monday-Friday except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (703) 308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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